

1 Introduced and amended by the Land Use and Zoning Committee:  
2  
3

4 **ORDINANCE 2019-751-E**

5 AN ORDINANCE REZONING APPROXIMATELY 2.87± ACRES  
6 LOCATED IN COUNCIL DISTRICT 5 AT 2137 HENDRICKS  
7 AVENUE AND 2139 THACKER AVENUE, BETWEEN ALFORD  
8 PLACE AND MITCHELL AVENUE (R.E. NOS. 081704-  
9 0000 AND 081712-0000), OWNED BY THE SOUTH  
10 JACKSONVILLE PRESBYTERIAN CHURCH, INC., AS  
11 DESCRIBED HEREIN, FROM COMMERCIAL  
12 COMMUNITY/GENERAL-1 (CCG-1) AND COMMERCIAL  
13 RESIDENTIAL OFFICE (CRO) DISTRICTS TO PLANNED  
14 UNIT DEVELOPMENT (PUD) DISTRICT, AS DEFINED AND  
15 CLASSIFIED UNDER THE ZONING CODE, TO PERMIT  
16 MIXED USE DEVELOPMENT, AS DESCRIBED IN THE  
17 HENDRICKS AND ALFORD PUD, PURSUANT TO FUTURE  
18 LAND USE MAP SERIES (FLUMS) SMALL-SCALE  
19 AMENDMENT APPLICATION NUMBER L-5395-19C; PUD  
20 SUBJECT TO CONDITIONS; PROVIDING A DISCLAIMER  
21 THAT THE REZONING GRANTED HEREIN SHALL NOT BE  
22 CONSTRUED AS AN EXEMPTION FROM ANY OTHER  
23 APPLICABLE LAWS; PROVIDING AN EFFECTIVE DATE.  
24

25 **WHEREAS,** the City of Jacksonville adopted a Small-Scale  
26 Amendment to the *2030 Comprehensive Plan* for the purpose of  
27 revising portions of the Future Land Use Map series (FLUMs) in  
28 order to ensure the accuracy and internal consistency of the plan,  
29 pursuant to application L-5395-19C and companion land use Ordinance  
30 2019-750; and

1           **WHEREAS**, in order to ensure consistency of zoning district  
2 with the *2030 Comprehensive Plan* and the adopted companion Small-  
3 Scale Amendment L-5395-19C, an application to rezone and reclassify  
4 from Commercial Community/General-1 (CCG-1) and Commercial  
5 Residential Office (CRO) Districts to Planned Unit Development  
6 (PUD) District was filed by Zach Miller, Esq., on behalf of the  
7 owners of approximately 2.87± acres of certain real property in  
8 Council District 5, as more particularly described in Section 1;  
9 and

10           **WHEREAS**, the Planning and Development Department, in order to  
11 ensure consistency of this zoning district with the *2030*  
12 *Comprehensive Plan*, has considered the rezoning and has rendered an  
13 advisory opinion; and

14           **WHEREAS**, the Planning Commission has considered the  
15 application and has rendered an advisory opinion; and

16           **WHEREAS**, the Land Use and Zoning (LUZ) Committee, after due  
17 notice, held a public hearing and made its recommendation to the  
18 Council; and

19           **WHEREAS**, the City Council, after due notice, held a public  
20 hearing, and taking into consideration the above recommendations as  
21 well as all oral and written comments received during the public  
22 hearings, the Council finds that such rezoning is consistent with  
23 the *2030 Comprehensive Plan* adopted under the comprehensive  
24 planning ordinance for future development of the City of  
25 Jacksonville; and

26           **WHEREAS**, the Council finds that the proposed PUD does not  
27 affect adversely the orderly development of the City as embodied in  
28 the *Zoning Code*; will not affect adversely the health and safety of  
29 residents in the area; will not be detrimental to the natural  
30 environment or to the use or development of the adjacent properties  
31 in the general neighborhood; and the proposed PUD will accomplish

1 the objectives and meet the standards of Section 656.340 (Planned  
2 Unit Development) of the *Zoning Code* of the City of Jacksonville;  
3 now, therefore

4 **BE IT ORDAINED** by the Council of the City of Jacksonville:

5 **Section 1. Subject Property Location and Description.** The  
6 approximately 2.87± acres (R.E. Nos. 081704-0000 and 081712-0000)  
7 are located in Council District 5, at 2137 Hendricks Avenue and  
8 2139 Thacker Avenue, between Alford Place and Mitchell Avenue, as  
9 more particularly described in **Exhibit 1**, dated July 23, 2019, and  
10 graphically depicted in **Exhibit 2**, both of which are **attached**  
11 **hereto** and incorporated herein by this reference (Subject  
12 Property).

13 **Section 2. Owner and Applicant Description.** The Subject  
14 Property is owned by The South Jacksonville Presbyterian Church,  
15 Inc. The applicant is Zach Miller, Esq., 501 Riverside Avenue,  
16 Suite 901, Jacksonville, Florida 32202; (904) 396-5731.

17 **Section 3. Property Rezoned.** The Subject Property,  
18 pursuant to adopted companion Small-Scale Amendment L-5395-19C, is  
19 hereby rezoned and reclassified from Commercial Community/General-1  
20 (CCG-1) and Commercial Residential Office (CRO) Districts to  
21 Planned Unit Development (PUD) District. This new PUD district  
22 shall generally permit mixed use development, and is described,  
23 shown and subject to the following documents, **attached hereto**:

24 **Exhibit 1** - Legal Description dated July 23, 2019.

25 **Exhibit 2** - Subject Property per P&DD.

26 **Revised Exhibit 3** - Revised Written Description dated February 19,  
27 2020.

28 **Revised Exhibit 4** - Revised Site Plan dated January 14, 2020.

29 **Section 4. Rezoning Approved Subject to Conditions.** This  
30 rezoning is approved subject to the following conditions. Such  
31 conditions control over the Written Description and the Site Plan

1 and may only be amended through a rezoning.

2 (1) Sidewalks adjacent to on-street parking shall be a  
3 minimum width of 6 feet.

4 (2) The architectural design of the parking garage façade  
5 shall be subject to the review and approval of the Planning and  
6 Development Department at the time of Verification of Substantial  
7 Compliance of the PUD. The parking garage shall incorporate  
8 differentiated building walls, vertical architectural features,  
9 decorative detailing and architectural elements, and changes in  
10 building materials and color.

11 **Section 5. Contingency.** This rezoning shall not become  
12 effective until 31 days after adoption of the companion Small-Scale  
13 Amendment unless challenged by the state land planning agency; and  
14 further provided that if the companion Small-Scale Amendment is  
15 challenged by the state land planning agency, this rezoning shall  
16 not become effective until the state land planning agency or the  
17 Administration Commission issues a final order determining the  
18 companion Small-Scale Amendment is in compliance with Chapter 163,  
19 *Florida Statutes*.

20 **Section 6. Disclaimer.** The rezoning granted herein  
21 shall not be construed as an exemption from any other applicable  
22 local, state, or federal laws, regulations, requirements, permits  
23 or approvals. All other applicable local, state or federal permits  
24 or approvals shall be obtained before commencement of the  
25 development or use and issuance of this rezoning is based upon  
26 acknowledgement, representation and confirmation made by the  
27 applicant(s), owner(s), developer(s) and/or any authorized agent(s)  
28 or designee(s) that the subject business, development and/or use  
29 will be operated in strict compliance with all laws. Issuance of  
30 this rezoning does not approve, promote or condone any practice or  
31 act that is prohibited or restricted by any federal, state or local

